

Regulations and other Acts

Gouvernement du Québec

O.C. 1138-2019, 14 November 2019

Québec Immigration Act
(chapter I-0.2.1)

Québec Immigration —Amendment

Regulation to amend the Québec Immigration Regulation

WHEREAS, under section 9 of the Québec Immigration Act (chapter I-0.2.1), the Government may, by regulation, determine immigration programs and, for each program, the selection conditions and any selection criteria applicable to foreign nationals;

WHEREAS the second paragraph of section 104 of the Act provides in particular that a regulation made under section 9, in the case of provisions relating to a permanent immigration program, is not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) and, despite section 17 of that Act, comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date set in the regulation;

WHEREAS the Regulation to amend the Québec Immigration Regulation was made by Order in Council 1030-2019 dated 9 October 2019;

WHEREAS it is expedient to again amend the Québec Immigration Regulation (chapter I-0.2.1, r. 3);

WHEREAS it is expedient to make the Regulation to amend the Québec Immigration Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Immigration, Francization and Integration:

That the Regulation to amend the Québec Immigration Regulation, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Québec Immigration Regulation

Québec Immigration Act
(chapter I-0.2.1, s. 9)

1. The Québec Immigration Regulation (chapter I-0.2.1, r. 3), as replaced by the Regulation to amend the Québec Immigration Regulation made by Order in Council 1030-2019 dated 9 October 2019, is amended by replacing sections 33 and 34 by the following:

“**33.** The Minister selects, under the Québec experience program, a foreign national who has stayed in Québec for the main purpose of studying if the foreign national

(1) obtained from a Québec educational institution, during the 3 years preceding the date of filing of the application, a university diploma attesting to a bachelor’s degree, a master’s degree or a doctorate, a diploma of college studies in a technical program or a secondary vocational diploma which, alone or with an attestation of vocational specialization obtained consecutively, attests to 1,800 hours or more of continuing training and leads to a trade;

(2) has not begun a new program of studies in Québec since the issue of the diploma referred to in paragraph 1;

(3) shows an intermediate oral knowledge of French, level 7 or level 8 according to the *Échelle québécoise des niveaux de compétence en français des personnes immigrantes adultes* or its equivalent and, as the case may be,

(a) has completed his or her program of studies in Québec in French;

(b) has filed the result of a standardized test showing the oral knowledge of French;

(c) has filed a document certifying that the foreign national has met the requirements relating to the practice of a profession governed by a professional order in accordance with section 35 of the Charter of the French language (chapter C-11);

(d) has successfully completed at least 3 years of full-time studies in French at the secondary or post-secondary level or an intermediate French course, level 7 or level 8 according to that scale or its equivalent, offered by a Québec educational institution in Québec;

(4) stayed in Québec for at least half the duration of his or her program of studies and complied with the conditions of the stay;

(5) does not have a scholarship including a condition of return to the foreign national's country at the end of the program of studies or has complied with that condition; and

(6) complies with Factor 9, that deals with financial self-sufficiency, of the Selection grid for the economic class in Schedule A.

34. The Minister selects, under the Québec experience program, a foreign national staying in Québec with the main purpose of working or taking part in a youth exchange program under an international agreement entered into by Québec or Canada, if the foreign national

(1) has complied with the conditions of the stay;

(2) does hold full-time employment in Québec and held such employment during a period of at least 12 months in the 24 months preceding the date of filing of the application;

(3) shows an intermediate oral knowledge of French, level 7 or level 8 according to the *Échelle québécoise des niveaux de compétence en français des personnes immigrantes adultes* or its equivalent and, as the case may be,

(a) has filed the result of a standardized test showing the oral knowledge of French;

(b) has submitted a document certifying that the foreign national has met the requirements relating to the practice of a profession governed by a professional order in accordance with section 35 of the Charter of the French language (chapter C-11); or

(c) has successfully completed at least 3 years of full-time studies in French at the secondary or post-secondary level or an intermediate French course, level 7 or level 8 according to that scale or its equivalent, offered by a Québec educational institution in Québec; and

(4) complies with Factor 9, that deals with financial self-sufficiency, of the Selection grid for the economic class in Schedule A.”

2. Section 35 of the Québec Immigration Regulation is amended by replacing “1 to 9” by “1 to 4”.

3. The following is added after section 118:

“**118.1.** Sections 24.1 to 24.5, as added by the Regulation to amend the Québec Immigration Regulation made by Order in Council 1030-2019 dated 9 October 2019, do not apply to an application for selection for permanent immigration filed under any of the programs listed in section 24 before 1 January 2020.

118.2. An application for selection for permanent immigration filed under the Québec experience program between 1 November and 13 November 2019 is continued and decided under sections 33 and 34, as replaced by the Regulation to amend the Québec Immigration Regulation made by Order in Council 1030-2019 dated 9 October 2019, if the foreign national filing the application had obtained an attestation or diploma attesting to 900 but less than 1,800 hours of studies.”

4. This Regulation comes into force on 14 November 2019, except section 118.1, introduced by section 3 of this Regulation, which comes into force on 1 January 2020.

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